Procure

App F. IX-4

193 5. (Magistrate)

File No. 320-3

Serial Nos. 1-4

Previous References

~~*Letter References.*~~

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 4

Part B for December 36.

SUBJECT.

Appeal for the restoration of Perumonchalli in Chankara Palakk to Sri Akshobhya Theertha Matha of Shirooja Palakk

To The Agent Sri Kudali Akshobhya Theertha Matha Shirooja.

8/4

WD 0418—GPB—22,500—29-8-36

No 383 P 8-9-36

I - Himathi that the request cannot be granted

975

General and Revenue Secretariat — Mlag File No. 320 of 1935-6 — [App. F. III—2

Serial No.	
1	Petition of 5-3-36 from the Agent of Sri Akshobheya Tirtha mutt Shimoga Taluk appealing against the order of the Mysore Commissioner in the matter of restoring Permanency to Sri Akshobheya Tirtha mutt.

1 If agreed, the petitioner Agent may be asked to state the section of the Mysore Reg^n as amended by Regulation No VIII of 1935 under which he wishes to prefer this appeal before Govt. Sabs for orders.

GJ 2. Except advocates people, & 11/3 especially ignorant people living in rural areas and people who do not English will not be able to ~~distinguish~~ understand or know the distinction between an appeal under section 35 of the Religious and Charitable Endowments Regulation and a review petition under sec. 39 of the Regulation. Govt. may therefore decide themselves whether this should not be treated as a review petition and dispose of it as such in whatever way they chose. There seems to be no necessity to obtain informations on the point referred to in para 1 of the note.

11.3.36.

Please put up a clear note explaining the facts of the case and the orders passed thereon.

12

NOTE — Contn. Sheet.

WD 03591—GPB—30,000—18-7 35

4 The petr, who is an Advocate of Sri Kantha Ak Shobhaya Tuthra Mutt Shimoga Tk says in para. 3 of the P. & D that Peremanahalli Village may be restored to Sri Mutt if it was at any time an Inam Village.

The Inam Regr. pertaining to the Thanigere Tk is found of no use. No mention is made under "Mutts" of Peremanahalli but was a devadaya & Inam at any time for the benefit of the mutt. The petr says that this is an appeal against the order of the M.C. As the order appealed against is not one passed by the M.C. under the Inam Regn it is submitted the petn cannot be treated as a regular appeal petn.

5 It is open to the petr to establish the claim of the Mutt for Peremanahalli Village with the help of the Mutt records. Etc.

6) After enquiring the Dist of Land Records is directed to ——

7) 6) the petition may be forwarded to the Inspecting Comr. for submitting a report with the connected records. Jodi inam lands of 148 acres 6 guntas in extent were granted for the maintenance of the

Please see the routeni for the delay in submitting the case.

Serial No.

A

Chattram in Peraamanahalli, Tarekere Taluk. (Vide G.O. No. 5059-11 R.D. 30-95-5 dated 2nd Decr. 1895): As Venkatagiriappa, the son of Sirekatur Narasappa, who built the chattram and to whom the inam lands were granted, pleaded inability to abide by the terms of the grant, the lands and the chattram were resumed by Govt. in G.O. No.

N

R. 3805-7 dated 31st March 1903. ~~The matt~~ Sri Abhobhya Tirtha matt requested that the chattram and its inam lands may be handed over to it, as the matt wanted to maintain the chattram. This was sanctioned in G.O.

E

No. R. 1207-10 dated 25th Aug. 1910: As the matt failed to keep the chattram in good repair, the Govt. directed that the chattram and the lands should be resumed by Govt., that the chattram should be disposed of by public auction, and that the inam tenure of the lands should be cancelled and that the lands should be disposed of for cultivation. ~~It would~~ (Vide

U

G.O. No. 1768-9 Inam-285-11/-13 dated 19th Nov. 1920).

NOTE.—Contn. Sheet.

WD 0591—GPB—30,000—13-7-35

Jgr I 9

File No. of 193 · General Se

Hraidhathas be the village of Peramana-halli does not therefore seem to have been granted to the Sri Akshobhya Tirtha Matt as an inam village ~~the mugrai~~ as stated in the petition. The mugrai Comr. may however be requested to submit a report on the claim with the connected records.

15.4.36.

9) The circumstances under which the inam tenure of the lands were cancelled are explained above and in the g.o. of 14th Nov. 1920. Submitted with reference to para 3 of the notes.

15.4.36.

10) If approved the petn will be sent to D.C. for report.

16/4/36

11) Yes

21/4

21/4/36

12 Memo of forwardal put up on the P.N.D is for Kind Signature

22.4.36

13) 22/4/36

To

The R.D.

No 1476 J 23-4-36

Forward the petition for early report

25

Mag appl No 22 of 1935-36.

General and Revenue Secretariat — Mag — File No. 320 of 1936 — [App. F. III—2

Serial No.

Letter No H.C. 78/35-36 dt 13-8-1936 from the Inquisition Commissioner submitting a report on the appeal petition of the agent of Sri Kushi Ak Shobhya Tirthaswami Mutt.

(14) The points raised by the petr in the P. A. are:—

(a) Whether the Village of Perumachalli-Thattare Tk was at any time an Inam Village liable to Cowlagam etc and can not be restored to [illegible] Ahobhalaya Tirtha Mutt-Shimoga

(b) Whether the lands in the Khata of Sri Mutt may be [illegible] Inam lands.

(15) The Amildar Thattare Tk has reported on 25/5/36 that Perumachalli Thattare Tk was [illegible] & the lands in the Khata of Sri mutt were never Inam lands & that from the time of the original Survey Settlement in 1878 the lands in question have been Sirkar lands, 5 Sy Nos of which have been Sirkar Kayam as Bagayat.

(16) The second request of the petr amounts to creation of new Inam [illegible] is not permissible under the Act [illegible]

NOTE—Contn Sheet.

WD 03594—GPB—30,000—13-7 35

165

Mg File No. of 193 . | General and Revenue Secretariat

May is requested to be informed to close

GS 29/8/36) As Peramanahalli was never an inam village and as it was never granted as an inam village to the matt, no question of restoring it to the matt has to be considered. The petitioner wants the tenure of the lands in the Khata of the matt to be converted into inam. He has not given any reason for the grant of such an unusual concession. Jodi inam lands 48 acres 6 guntas in extent granted to the chattram in Peramanahalli were transferred to Sri Akhobhya thirtha matt, which wanted to maintain the chattram. (Vide R. 1207-10 dated 25th Aug. 1910). The inam lands were resumed by govt. as the matt failed to keep the chattram in good repair. (Vide G.O. No. 1768-9 Revg. 265-17-13 dated 19th Nov. 1920).

29.8.36. Neither of the two requests of the petitioner is admissible in the circumstances of the case. The petition may be rejected

29 AUG 1936

Gen Secy) There is no case for consideration. The Agent of the matt is practically

29/8/36

Serial No.

asking for new bequests. The petition may be rejected. Inv

1/9

First Member

2) 1/9

2/9 Inv

2/1

2) Draft

seg 3/9/36

Issue

seg 3/9/36

TYPING SECTION 4. SEP. 1936 GENL & REV. SECTT.

4 No 3830 8.9.1936 to the Agent Sri Kudli Akshobhya Tirtha mutt - Shimoga intimating that neither of the requests can be granted.

Memo no 3849 8-9-1936 to the Inam Commissioner returning the records received - Issue him on the subject.

Pa 14.9.1936

NOTE—Contn Sheet

File No. of 193 . Secretar

TWO RUPEES

GENERAL SECT.
15 JAN. 1936
FRA

In the Office of the Governor-in-Council
His Highness the Maharaja of Bikaner
Misc appeal No 22 of 1935-6.

Appellant: V. Ramaswami Reddiar, Bikaner Revenue Service, Agent of Messrs Swaminathan & Co Bikaner.

[illegible] against the rejection of his application [illegible] the 2nd [illegible] dated [illegible] The Court of [illegible] the enactment [illegible] and he was directed to apply for copy of G.O. 1765-9 Revy-245-17-13 dated 19-11-1920 as per endorsement on [illegible] application. [illegible] to the Learned Munsif Commissioner for disposal per the following endorsement:

"The application [illegible] in the [illegible] of Rs 10 [illegible] Rs 1 [illegible] where as the G.O. quoted is No 1765 [illegible] 34 [illegible] some Rs 6 [illegible] and it [illegible] is not this which [illegible] matter of the petition [illegible] Rs 10, 3, 4 [illegible]".

3 The petition [illegible] of Permanent Revenue Officer [illegible] Bikaner [illegible] Bikaner [illegible] the [illegible] Order [illegible] petition [illegible]

Misc No 14-76/Revy
Petn dated 2-3-36
Govt Complaints
Govt of Bikaner
Commissioner for Complaints
Bikaner
MCVN
HC 78/35-36

16-25 question raised in the Petition is not at all made the 1
subject of his investigation and the order is beside the 3-4
34-1 province of the application.

4

5 The Appellant, therefore, prays that the question 6-1 19
of Restoration of Permanhalli, if at all at any time it 9 8
was being [illegible] that to Lands in the plaint 11-1 16
[illegible] be changed into Inam tenure as in the 11-3 21
origin may be ordered to be gone into and order fitting 12-1 1-17
the merits of the relief claimed be passed and the Petition 15 26-1
granted after calling a fresh report in case 17 12-29
[illegible] 18 28-39
19 23-39
20 27-13
24 7-12
36 29-0
40 30-39

1921-16
22 7-12
24 14-15

Memo No 1033/Mus dated 19-2-36

The petition with its enclosures is
returned to the petitioner as it is not
duly stamped. A two-rupee stamp
should be affixed to this, since this is an appeal to Govt.

By order,

19/2/36
for General Secretary

GENERAL SECRETARY'S OFFICE
6 MAR. 1936
Dmy.

GENERAL DEPOSITORY
9 MAR. 1936
MADRAS

Stamped in obedience to the requisition and returned
with respectfully.
[illegible]
Agent
of Appellant.

Dt. 28
35-6

Muz-320-35-3

Exc. 2 & 2 files

GENL. & REV. SECRETARIAT
14 AUG. 1936
MUZRAI BRANCH

OFFICE OF THE MUZRAI COMMISSIONER
IN MYSORE.

Bangalore, 10th August *1936.*

13 (10)

FROM

K. V. ANANTARAMAN, ESQ., B.A.,
Muzrai Commissioner in Mysore.

To

23

M. Venkatesa Iyengar, Esq., M.A.,
Secretary to the Government of His Highness
the Maharaja of Mysore,
.....General.....*Department.*

GENERAL SECRETARIAT
14 AUG. 1936

SIR,

Appeal Petition of Mr. N. Dharmarayacharya,
Agent of Sri Kudli Akshobhya Theertha Mutt.

With reference to your Memo No.1476/Muz. dated 23rd April 1936 calling for a report on the above, I have the honor to forward herewith a copy of letter No.A5-4343/35 dated 21st July 1936 from the Deputy Commissioner, Kadur District, together with its enclosures which explains the facts of the case.

The appeal petition is also enclosed in the file.

I have the honor to be,

Sir,

Your most obedient servant,

Muzrai Commissioner.

Letter No.A5-4343/35 dated 21-7-36 from the Deputy Commissioner, dûr District, to the Muzrai Commissioner in Mysore.

Restoration of Perumenahalli village in Tarikere Taluk to Sri Arya Akshobhya Theertha Mutt.

Adverting to your Official Memorandum No.H.C.78/35-36 dated 29th April 1936 forwarding a petition from Mr. N. Dharmarayacharya re. the above, and calling for a report, I have the honor to state that the Amildar, Tarikere Taluk, states, with reference to the previous survey records, that the village Perumenahalli or the 17 S.Nos. of the village noted in the margin which were previously in the khate of the Mutt were never at any time shown as inams. These S.Nos. which were sirkar lands in the khate of the Mutt were sold on 29-6-1934 for arrears of land revenue due for 1933-34 and were resumed to Government for want of bids. As per records available in the Taluk Office, the village and these lands were sirkar ones even at the time of original survey in 1878.

In this connection, I have to invite reference to Government Order Nos.R.1207-10/L.R.507-09-4 dated 25-8-1910 and No.1768-9/Muz.265-17-13 dated 19-11-1930 from which it is seen that the inam S.Nos.25 and 26 attached to Narasappa's Chattram were transferred to the Mutt on condition of repairing and maintaining the Chattram building in good condition for the use of the travellers but these were subsequently resumed to Government on account of the failure of the Mutt to abide by the condition of grant and were disposed of cancelling the Inam tenure. Petition received from Mr. Dharmarayacharya for the restoration of these two S.Nos. in the Sub Division Office, in this office and in the Muzrai Commissioner's Office, were rejected and endorsements issued to the petitioner.

The entire records received with Sub Division Officer's report No. S2-2095/35 dated 16-6-1936 and No.2049/35 dated 3-7-1936 are forwarded herewith for favour of reference.

"COPY"

M. N Ananda Rao

For Muzrai Commissioner.

OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated, Bangalore 4th September *193* 6

No. 383 Rev 2 8 Cl

Mey 320-35-4

From

The *General Secretary to the Government of His Highness the Maharaja of Mysore*

To

Mr. M.N. Dharmarayacharya, B.A.,L.L.B.,
Advocate, Agent, Sri Kudli Arya Akshobhya Theertha Mutt,
Shimoga.

Dear Sir,

With reference to your petition dated 5th March 1936 requesting the restoration of the grant of Perumenahalli in Tarikere taluk as Inam to the Sri Kudli Arya Akshobhya Theertha Mutt or in the alternative the conversion of lands in the Khata of the Sri Mutt in Perumenahalli into inam tenure ones, I am directed to inform you that neither of the requests can be granted. The petition is therefore rejected, and the enclosures to it are herewith returned.

Yours faithfully,

(Signed) M. Venkatesa Iyengar.
General Secretary to Government.

A/c

Memo No. 384 Rev 2 files

Bangalore, 4th September 1936.

Copy of the above is forwarded with compliments to the Muzrai Commissioner with records received with his letter No. H.C.78/35-36 dated 13th August 1936 on the subject.

By Order,

for General Secretary to Govt.

Section A

File No. 320 — 35

Serial No. 4

No. 383 Luc 2

Diary No. of letter replied to ....

To

M. N. Dharmarayacharya
B.A. B.L.
Advocate & Agent - Sri
Kudli Asya Alakshobhya
Tirtha Mutt, Shimoga.

General and Revenue Secretariat

the *193* .

Date of issue 8/3/36

Signed by .... Sd/- Subbarayappa

Dear Sir,

I acknowledge

With reference to your
letter dated 5/3/36 regarding
the restoration of
the Grant of Perumanahalli
Thalkare to Inam to Sri
Kudli Asya Alakshobhya Tirtha
Mutt in the alienation
Conversion of land in the Khata
of the Sri Mutt into Inam
I am directed to say
that [illegible]

Can be granted

List of enclosures .....

Copied by .....

Examined by.....

WD 01956—GPB—22,500—12-6-34

reasonable. The fee is therefore rejected and the endorsements returned herewith.

(14) Yours faithfully

DCG 3/9/26

for Gandhi

384 & 2 files.

Copy forwarded with compliments & returned

Copy to H.C. with papers received with his letter No H.C. 78/35/26 dt 13/8/26 on the subject.

S. D.

DCG

for Gandhi